

EMERGENCY MEETING MINUTES

May 10, 2010

GOVERNOR'S COMMITTEE FOR THE PURCHASE OF COMMODITIES AND SERVICES FROM THE HANDICAPPED

The meeting was called to order by Chairperson Penney Hall at 10:30 a.m. May 10, 2010. The meeting was conducted via teleconference with three participants at the State Capitol in Charleston.

ATTENDANCE:

Committee: Penney Hall (Chairperson); Everette Sullivan; Brenda Bates; Phillip Mason; Jan Lilly-Stewart

WVARF Staff: Greg Raber

Guest: Bob Paulson, Department of Administration General Counsel

Ms. Hall announced the purpose of the meeting was to review the fair market price of certain commodities. She had received a letter from David Tincher, Director of the Purchasing Division, stating they had agreed to the prices on all of the commodities presented by WVARF with the exception of Data Management, Catfish Nesting Box Fishing Habitat, and Condiment Kits.

She said Mr. Raber had told Purchasing that the Catfish Nesting Box Fishing Habitat were to be removed from the contract since this is something the Division of Natural Resources only purchases every ten years or so. She thinks a letter needs to go to Purchasing from the Committee regarding this issue.

Motion #1:

Ms. Lilly-Stewart moved to send a letter to the Purchasing Division requesting, Catfish Nesting Box Fishing Habitat be removed from the statewide contract. Mr. Mason seconded. Motion passed.

There were no changes in the price of the laundry replacement or rental costs.

Motion #2:

Mr. Mason moved to approve the fair market price (FMP) of the laundry replacement and rental costs. Ms. Bates seconded. Motion passed.

Data Imaging – there was one new item on the contract, Media Set up Fee and Digital Delivery of Images, which the Committee had not approved to be added to the contract. Ms. Hall explained there are several things the Committee has to look at prior to adding something to the contract. Her suggestion was to approve all of the other items for Data

Imaging at this time and look at the new item at a later meeting. There was a question of why some of the new prices were lower than the old prices. Mr. Raber explained the new prices were what the CPRs had submitted. He said in this instance the technology had improved and thus costs had gone decreased.

Motion #3:

Mr. Mason moved to approve the FMP of items 32 to 164 for Data Imaging. Ms. Bates seconded. Motion passed.

Survey Stakes: There were four new items which were not considered were lath strips ½"x1 1/2" x36"; wood survey stake 1" x1 ½" x 24"; wood survey hub 2" x 2" x 18"; and wood survey hub 2" x 2" x 24".

Motion #4:

Ms. Bates moved to approve the FMP for survey stakes with the exception of the five new items. Mr. Sullivan seconded. Motion passed.

Microfilming: There were two new items, create a duplicate microfilm roll (35mm) and document shredding. After some discussion the Committee agreed that the duplicate microfilm roll should go ahead and be added because they have already made the master roll. There were some questions regarding the shredding.

Motion #5:

Mr. Sullivan moved to approve the FMP of items 86 to 99 and the new item of creating a duplicate microfilm roll (35mm) for microfilming. Mr. Mason seconded. Motion passed.

Motion #6:

Mr. Sullivan moved to approve the FMP of stainless steel framed mirror and rubber coated laboratory apron. Mr. Mason seconded. Motion passed.

Motion #7:

Mr. Sullivan moved to approve the FMP of items 100, 103, 105 and 106 for presort mail. Mr. Mason seconded. Motion passed.

Motion #8:

Mr. Sullivan moved to approve the pricing for absorbency products and supplies; liquid hand soap; low impact monitoring and dispatching services; and wiping cloths. Mr. Mason seconded. Motion passed.

Committee members discussed the letter from Mr. Tincher. Mr. Mason pointed out several passages where he had concerns. One was Mr. Tincher said it was his responsibility to set the Fair Market Price and where he talked about comparing a program with a social perspective vs. the mission of the Purchasing Division of a business perspective. He said he believed that the Committee was in charge with setting the fair market price. Also he said he saw the State Use program as a business

with a social benefit. He said to categorize it otherwise is a misrepresentation. He said he appreciates that Mr. Tincher's efforts to keep government costs low however the impact of this program goes beyond the business aspect to an economic impact on social service programs.

Ms. Lilly-Stewart said she thought the last paragraph were Mr. Tincher said "We believe that WVARF customers, if they are unhappy with pricing, will complain and that another review process may begin, or that legislative action may be necessary to clarify laws and rules or that legal action will set new standards for this program" was a threat to the program. Other Committee members agreed with her.

The Committee said a message needs to be given to Mr. Tincher correcting his attitude toward what the program does. The statement should concern the Committee's prestige of being appointed by the Governor and the importance of what the program does for the state.

The Committee agreed to discuss this more at the meeting on May 21.

Motion #9:

Ms. Lilly-Stewart moved to adjourn.